

REMARKS

This responds to the Office Action mailed on October 4, 2007.

Claims 1, 10, 17, and 25 are amended; as a result, claims 1-34 are now pending in this application.

The amendments are made to place the application in condition for allowance and to overcome rejections as to form. Consequently, Applicant believes that no further searching is necessitated by the amendments and that the amendments should be entered. Applicant respectfully requests an indication of the same.

Example support for the amendments may be found in a variety of locations throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification page 8 first full paragraph; page 9 second full paragraph beginning on line 12 and continuing to page 10; page 12 first full paragraph beginning on line 11; and page 18 line 1 through line 7.

§112 Rejection of the Claims

Claims 1, 10, 17 and 25 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. Although, Applicant disagrees with the Examiner that the term “unknownst” is ambiguous, Applicant has removed the perceived offending term from the independent claims by way of amendment as detailed above. Accordingly, this rejection is now moot and should be withdrawn. Applicant respectfully requests an indication of the same.

§103 Rejection of the Claims

Claims 1, 2, 10, 11, 17, 18, 25 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Xiong (U.S. 7,096,490) and further in view of Gabber (U.S. 5,961,593). It is of course fundamental that in order to sustain an obviousness rejection that each and every limitation in the rejected claims must be taught or suggested in the proposed combination of references.

The Gabber reference is being relied on for the usage of an alias identity. Gabber specifically states that “an important aspect of the present invention is that the forgoing functions are performed consistently by the proxy system during subsequent visits to the server site (same substitute identifiers are used on repeat visits to the server site . . .)” Gabber, column 3 lines 2-11. Also, see the Abstract and throughout the specification of Gabber.

So, Gabber actually relies on the fact that the substitute identifiers are consistently resupplied and re-used on subsequent visits to a server by a user. In other words, the user always uses the same substitute identifier with the server. This allows Gabber to establish personalization for the user but it also exposes that substitute identifier in such a manner that if it is compromised someone could assume the role of the user. So, Gabber is more clearly focused on addressing anonymity as opposed to security issues.

Conversely, what Applicant has done is the exact opposite of Gabber in that each time a session ends the temporary identity information is lost and it is not reused with a requestor again for subsequent sessions. This (our approach) prevents profiling, which is what Gabber actively teaches and advocates because Gabber desires personalization for the user, and enhances security, which is what Gabber is less concerned with. Gabber’s teaches are completely lost and counseled against if the same identifiers are not reused each time a user visits a site.

Accordingly and in view of the above amendments, which now make the points clear above, the rejections should be withdrawn and the claims of record allowed. Applicant respectfully requests an indication of the same.

Claims 3-9, 12-16, 19-24 and 27-34 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Xiong and further in view of Gabber and further in view of Gupta (U.S. 6,868,448). These claims are dependent from the amended independent claims, therefore for the remarks and amendments presented above with respect to the independent claims, the rejections of claims 3-9, 12-16, 19-24, and 27-34 should be withdrawn. Applicant respectfully requests an indication of the same.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record is relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION


Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By /  /
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